

REMARKS

Claims 1-37 remain pending and under current examination. Applicant respectfully requests reconsideration of this application in light of the following remarks.

I. Regarding the Final Office Action

In the Office Action¹, the Examiner rejected claims 1-37 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,995,991 to Huang et al. (“*Huang*”) in view of U.S. Patent No. 5,065,352 to Nakano (“*Nakano*”); and rejected claims 1-37 under non-statutory double patenting as being unpatentable over claims 1-37 of Application No. 10/035,580 in view of *Nakano*.

Applicant respectfully traverses the Examiner’s rejections for the following reasons.

II. Regarding the rejection of claims 1-37 under 35 U.S.C. § 103(a) as being unpatentable over *Huang* in view of *Nakano*

Applicant respectfully requests that the Examiner reconsider and withdraw the rejection of claims 1-37 because a *prima facie* case of obviousness has not been established with respect to these claims.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). M.P.E.P. § 2142, 8th Ed., Rev. 2 (May 2004), p. 2100-128.

A *prima facie* case of obviousness has not been established because, among other things, neither *Huang* nor *Nakano*, taken alone or in combination, teaches or suggests each and every element of Applicant's claims.

Claim 1 recites a combination including, for example,

an analyzer circuit configured to determine a first status of a first floating point operand and a second status of a second floating point operand based upon data within the first floating point operand and data within the second floating point operand respectively; and

a results circuit coupled to the analyzer circuit and configured to assert a resulting floating point operand containing the remainder of the first floating point operand and the second floating point operand and a resulting status embedded with the resulting floating point operand

(emphasis added). *Huang* does not teach or suggest at least these elements.

With respect to claim 1, the Examiner asserts, in response to previous reasoning presented in an earlier response, that

the examiner interprets the tag and the floating-point values as a floating-point operand. As the applicant can see in Figures 1 and 4, the floating-point operand with special tag is considered as a single unit/operand (e.g. Figure 1 with x goes into 24). Thus, each floating-point operand in Huang et al.'s reference including a tag unit and a value unit wherein the tag unit is embedded within the operand

(Office Action at p. 9). Applicant respectfully disagrees with the Examiner's assertion.

Huang contradicts the Examiner's assertion. *Huang* teaches "each portion of the registers 116 and 118 has an operand value storage portion 116-1 and 118-1 and a tag value storage portion 116-2 and 118-2" (emphasis added, *Huang*, col. 6, line 66 through col. 7, line 2).

Huang thus teaches a separate operand value storage portion, 116-1, and a separate tag value storage portion for the x_tag 116-2 (*Huang*, col. 6, line 66 through col. 7, line 2, see also Fig. 4).

Huang further emphasizes a separate tag portion and operand portion, teaching “the operands ... stored in the operand portion 116-1 of the registers 116 are inputted ... [i]n addition, the tag values x_tag, y_tag stored in tag portions 116-2 are inputted directly to the arithmetic section as control signals indicating the operand types of the respective operands X and Y” (emphasis added, *Huang*, col. 7, lines 8-14). That is, *Huang* explicitly contradicts the Examiner’s conclusion that “a tag unit and a value unit wherein the tag unit is embedded within the operand” by stating that the operand is in an operand portion (e.g., without the tag unit), because the tag is in a separate portion used to indicate the operand type. Therefore, *Huang* does not teach or suggest at least determining a status based upon data “within the ... floating point operand,” as recited by claim 1.

Finally, *Huang* claims “inputting ... a first operand and a first tag” and “determining ... a value of said result ... based on said special operand indicated by said first tag and independently of a value of said first operand” (emphasis added, *Huang*, col. 9, lines 4-12). In contrast, claim 1 recites a combination including, for example, determining a “status of a ... floating point operand ... based upon data within the ... floating point operand” (emphasis added).

In sum, *Huang* does not teach or suggest a system to “determine a first status of a first floating point operand and a second status of a second floating point operand based upon data within the first floating point operand and data within the second floating point operand,” (emphasis added) as recited by claim 1. Therefore, *Huang* fails to teach or suggest each and every element of claim 1.

Nakano fails to make up for the deficiencies of *Huang* discussed above. *Nakano* is relied upon for allegedly teaching “an operation to yield a remainder of two operands division (abstract lines 6-14) utilizing multiplication” (Office Action at p. 3). Even assuming the Examiner’s assertion is true, *Nakano* nevertheless fails to teach or suggest at least a system to “determine a first status of a first floating point operand and a second status of a second floating point operand based upon data within the first floating point operand and data within the second floating point operand,” (emphasis added) as recited by claim 1.

Because neither *Huang* nor *Nakano*, taken alone or in combination, teaches or suggests each and every element of claim 1, no *prima facie* case of obviousness has been established with respect to this claim. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claim 1 as being unpatentable over *Huang* in view of *Nakano*.

Independent claims 14 and 26, although of different scope, recite similar elements to independent claim 1. Therefore, claims 14 and 26 are allowable at least for the reasons discussed above in regard to claim 1. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 14 and 26 as being unpatentable over *Huang* in view of *Nakano*.

Claims 2-13, 15-25, and 27-37 depend from claims 1, 14, and 26 respectfully, and therefore include all of the elements recited therein. Claims 2-13, 15-25, and 27-37 are therefore allowable at least for the reasons discussed above in regard to claims 1, 14, and 26, and for additional distinctions recited therein. Accordingly, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 2-13, 15-25, and 27-37 as being unpatentable over *Huang* in view *Nakano*.

III. Regarding the non-statutory double patenting rejection of claims 1-37 as being unpatentable over claims 1-37 of copending Application No. 10/035,580 in view of Nakano

Applicant respectfully renews the request that the Examiner hold this rejection in abeyance until allowable subject matter has been indicated (pp. 14-15 of Amendment filed December 16, 2004). *See M.P.E.P § 804(I)(B).*

IV. Conclusion

In view of the foregoing remarks, Applicant submits that this claimed invention, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicant therefore requests the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 23, 2005

By: Nathah A. Sloan
Nathah A. Sloan
Reg. No. 56,249

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,674	12/28/2001	Guy L. Steele JR.	06502.0377	4634

22852 7590 05/05/2005
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
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901 NEW YORK AVENUE, NW
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EXAMINER	
DO, CHAT C	
ART UNIT	PAPER NUMBER
2193	

DATE MAILED: 05/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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MAY 09 2005

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, LLP

Docketed 05-09-05 Attorney JAB/ SRD/NAS

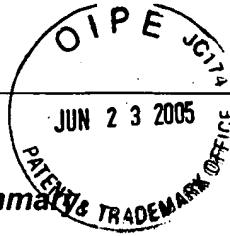
Case 06502-0377

Due Date 08-05-05

Action F. Resp / N. Appeal due

By rms

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Office Action Summary

JUN 23 2005	Application No.	Applicant(s)
	10/035,674	STEELE, GUY L.
	Examiner	Art Unit
	Chat C. Do	2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 February 2005.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-21 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-21 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date 11/4;11/23;12/23/4
- 4) Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.
 5) Notice of Informal Patent Application (PTO-152)
 6) Other: _____

DETAILED ACTION

1. This communication is responsive to Amendment filed 02/02/2005.
2. Claims 1-21 are pending in this application. Claims 1, 8, and 16 are independent claims.

This Office action is made final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 5-8, 13-16, and 19-21 are rejected under 35 U.S.C. 102(b) as being anticipated by Deerfield (U.S. 3,725,649).

Re claim 1, Deerfield discloses in Figure 2 a method for providing a floating point product (e.g. title and abstract) comprising: multiplying a sub-precise operand (e.g. output of 28 and col. 4 lines 50-58) and a non-sub-precise operand (e.g. output of 22) using a plurality of intermediate stages (e.g. 30, 34, 24 wherein each of these considers to be a stage); and correcting an error introduced (e.g. right shift 34, 28 and increment in exponent in 24; col. 4 lines 20-33) by the sub-precise operand by performing an operation in conjunction (e.g. in substantially parallel with producing product) with a one of the plurality of intermediate stages utilizing a compensating summand (e.g. output of adder 32).

Re claim 5, Deerfield further discloses in Figure 2 the sub-precise operand is represented using a delimited normalized format with an implicit leading 1-bit (e.g. conventional normalized format as col. 1 lines 28-37).

Re claim 6, Deerfield further discloses in Figure 2 the one of the plurality of intermediate stages is selected wherein a substantial time delay to correct the error is avoided (e.g. col. 2 lines 20-32 as motivation).

Re claim 7, Deerfield further discloses in Figure 2 time consumed by multiplying the sub-precise operand and the non-sub-precise operand overlaps time consumed in correcting the error (e.g. accumulating partial products in 30, 32, and 34 is done substantially parallel with right shift control as output of 36 and exponent correction in 24).

Re claim 8, it is a system claim of claim 1. Thus, claim 8 is also rejected under the same rationale as cited in the rejection of rejected claim 1.

Re claim 13, it is a system claim of claim 5. Thus, claim 13 is also rejected under the same rationale as cited in the rejection of rejected claim 5.

Re claim 14, it is a system claim of claim 6. Thus, claim 14 is also rejected under the same rationale as cited in the rejection of rejected claim 6.

Re claim 15, it is a system claim of claim 7. Thus, claim 15 is also rejected under the same rationale as cited in the rejection of rejected claim 7.

Re claim 16, it is a computer-readable medium claim of claim 1. Thus, claim 16 is also rejected under the same rationale as cited in the rejection of rejected claim 1.

Re claim 19, it is a computer-readable medium claim of claim 5. Thus, claim 19 is also rejected under the same rationale as cited in the rejection of rejected claim 5.

Re claim 20, it is a computer-readable medium claim of claim 6. Thus, claim 20 is also rejected under the same rationale as cited in the rejection of rejected claim 6.

Re claim 21, it is a computer-readable medium claim of claim 7. Thus, claim 21 is also rejected under the same rationale as cited in the rejection of rejected claim 7.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 9-10 are rejected under 35 U.S.C. 103(a) as being obvious over Deerfield (U.S. 3,725,649) in view of Yeh et al. (U.S. 4,991,131).

Re claims 2 and 10, Deerfield do not disclose in Figure 2 multiplying the sub-precise operand and the non-sub-precise operand using a multiplier array comprising 3-to-2 adders. However, Yeh et al. disclose in Figures 3 and 16A a multiplier (46) for multiplying operands ($M(X)$ and $M(Y)$) using a 3-2 adders array (full adder in Figure 16A). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention is made to add an array multiplier comprising 3-2 adders as seen in Yeh et al.'s invention into Deerfield's invention because it would enable to reduce the circuitry and efficiently carry the multiplication.

Re claim 9, it is a system claim of claim 2. Thus, claim 9 is also rejected under the same rationale as cited in the rejection of rejected claim 2.

Allowable Subject Matter

7. Claims 3-4, 11-12, and 17-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

8. Applicant's arguments filed 02/02/2005 have been fully considered but they are not persuasive.

- a. The applicant argues in page 5 for claims 1, 8, and 16 that the cited reference by Deerfield does not disclose a multiplying a subprecise operand and a non-subprecise operand instead the cited reference discloses a multiplication of two un-normalized digital numbers.

Based on the defined terms "subprecise" and "non-subprecise" operand as "non-full significant bits operand" and "full significant bits operand" respectively by the applicant in page 4 of the response argument, he examiner respectfully submits that cited reference clearly disclose the features or limitations in the claimed invention. First, the examiner interprets the normalized and un-normalized operands as equivalent (and precise) as the subprecise and non-subprecise operands because the significant bits in un-normalized are less than the

normalized operands and wherein the normalized operand has a full width significant bits in mantissa. Second, the cited reference clearly discloses a multiplication of a normalized and un-normalized operands wherein the normalized operand is the output of 28 (e.g. see col. 4 lines 50-58) and the un-normalized operand is the output of 22. The input multiplicand 28 originally is un-normalized operand, but it is shifted left by a control signal (e.g. Figure left shift control) prior entering the digital multiplier (e.g. 30). Therefore, Deerfield clearly discloses a multiplication in Figure 2 of a subprecise or normalized operand and a non-subprecise or un-normalized operand as cited in the claimed invention.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action.. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Application/Control Number: 10/035,674
Art Unit: 2193

Page 7

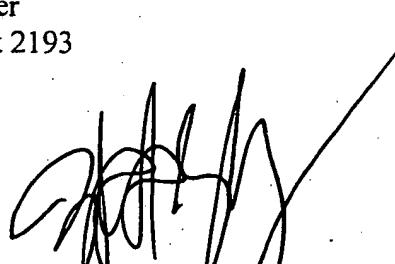
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chat C. Do whose telephone number is (571) 272-3721. The examiner can normally be reached on 7:00AM to 5:00PM M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chaki Kakali can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chat C Do
Examiner
Art Unit 2193

April 19, 2005

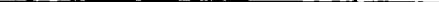


TODD INGEBERG
PRIMARY EXAMINER

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Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
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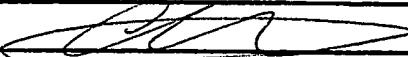
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/035,674
(Use as many sheets as necessary)				Filing Date	December 28, 2001
				First Named Inventor	Guy L. STEELE, JR.
				Art Unit	2124 2193
				Examiner Name	Jen V. Mai Chat Do
Sheet		1	of	1	Attorney Docket Number
				06502.0377	

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
CD		4,777,613 B1	10/11/1988	Shahan et al.	
CD		4,788,655 B1	11/29/1988	Nakayama et al.	
CP		5,065,352 B1	11/12/1991	Nakano	
CD		5,161,117 B1	11/03/1992	Waggener, Jr.	
CD		5,249,149 B1	09/28/1993	Cocanougher et al.	
CD		5,307,303 B1	04/26/1994	Briggs et al.	
CD		5,363,321 B1	11/08/1994	Dao Trong et al.	
CD		5,365,465 B1	11/15/1994	Larson	
CD		5,570,310 B1	10/29/1996	Smith	
CD		5,862,066 B1	01/19/1999	Rossin et al.	
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CD		5,978,901 B1	11/02/1999	Luedtke et al.	
CD		6,105,047 B1	08/15/2000	Sharangpani et al.	
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CD		6,151,669 B1	11/21/2000	Huck et al.	
CD		6,393,555 B1	05/21/2002	Meier et al.	
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CD		6,789,098 B1	09/07/2004	Dijkstra	

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO				DECEMBER 2001 PATENT & TRADEMARK OFFICE	Complete if Known
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number 10/035,674	
(Use as many sheets as necessary)				Filing Date December 28, 2001	
				First Named Inventor Guy L. STEELE, JR.	
				Art Unit 2124 9193	
				Examiner Name Tan V. Mai Chat Do	
				Attorney Docket Number 06502.0377	
Sheet	1	of	1		

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

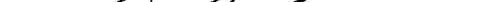
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**Notice of References Cited**Application/Control No.
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STEELE, GUY L.Examiner
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2193

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,697,832	02-2004	Kelley et al.	708/501
	B	US-6,256,655	07-2001	Ezer et al.	708/501
	C	US-6,049,865	04-2000	Smith, Roger Alan	708/496
	D	US-5,357,237	10-1994	Bearden et al.	708/505
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